(1)

CF-700/-

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. 3103 /2005

PETITIONERS : 1] Sardarilal Gupta S/o. Nandlal Gupta Aged about 78 years, R/o. Pandaritarai, Raipur, Distt. Raipur (C.G.)

2] Pitambarlal Sundarani, Aged about 57 yrs, S/o. M.R. Sundarani, R/o. Devendra Nagar, Raipur, Distt. Raipur (C.G.)

3] Sheel Kumar Makheeja, Aged about 50 yrs, S/o. Hansraj Makheeja R/o. Devendra Nagar, Raipur, Distt. Raipur (C.G.)

4] Omprakash Khushlani, Aged about 52 yrs, S/o. Jeevatram, R/o. Tegore Nagar, Raipur, Distt. Raipur (C.G.)

5] Deepak Kumar, Aged about 36 years, S/o. Bhagchandra Vadhawa, R/o. Devendra Nagar, Raipur, Distt. Raipur (C.G.)

6] Pushpa Wali, Aged about 46 years, W/o. S. L. Wali Ramani, R/o. Devendra Nagar, Raipur, Distt. Raipur (C.G.)

7] Ajeet Singh, Aged about 51 years, S/o. Kartar Singh, R/o. Devendra Nagar, Raipur, Distt. Raipur (C.G.)

P.R. No. 3076/05 Presented by Shri ... dated 5/7/05

VERSUS

RESPONDENTS : 1] State of Chhattisgarh, Through: Secretary, Environmental & Arban Development Department, D.K.S. Bhawan Raipur, Distt. Raipur (C.G.)

RECEIVED-COPY 5/7/05 CLERK to A.G. BILASPUR

2] Raipur Development Authority,
Through: its Chief Executive Officer,
G.E. Road, Raipur, Distt. Raipur (C.G.)

3] The Chief Executive Officer,
Raipur Development Authority, First Floor, R.D.A. Building, Bajrang Market, G.E. Road, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

80

मामला क्रमांक WPND...3109/05 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22-7-2005 Shri Manoj Paranjpe, counsel for the petitioners. Shri Sandeep Dubey, Govt. Advocate for the State/respondent No.1 Shri H. B. Agrawal, Sr. Advcoate with Shri Pankaj Agrawal, Advocate for respondents No.2 and 3. Heard learned counsel for the parties. The case of the petitioners is that their land as mentioned in para-5.2 of the petition was taken into possession by the R.D.A., respondent No.2 in the year 1979-80 for the purpose of construction of the cloth market without initiating any acquisition proceeding or awarding any compensation to the petitioners. However, at the time of taking of the possession, the petitioners were assured that if they make an application before respondent No.2, they will be allotted other land in exchange of the land which has been taken into possession by the R.D.A.. The petitioners are continuously making representations since their land was taken into possession by the R.D.A. and the last representation was made on 30th June 2005, but the R.D.A. authorities are not paying any heed to their representation. Learned counsel for the petitioners submitted that in the circumstances, limited request of the petitioners is that the R.D.A. be	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

directed to decide the representation made on 30th June 2005 to which leanred counsel for respodnetns have no objection.

Prayer made by learned counsel for the petitioners is just, reasonable and fair, therefore, respondents No.2 and 3 are directed to decide the representation made by the petitioners within a period of 3 months from today in an objective manner after considering all the points raised by the petitioners. However, at any stage respondents No.2 and 3 feel that sufficient particulars are not in the representation, they may ask for further representation or any document, but they have to complete whole exercise within a period of 3 months. In case, the RDA reaches to the conclusion that the petitioners are entitled for the land, then the petitioners be allotted alternative land after taking their consent in accordance with the policy.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2603/2005 and I.A. No.6338/2005 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.Bhadoo
Judge

Barve

(पीछे देखिये)